

# State of South Dakota

## EIGHTIETH SESSION LEGISLATIVE ASSEMBLY, 2005

552L0700

## HOUSE BILL NO. 1184

Introduced by: Representatives Bradford, Hargens, Kroger, Sigdestad, Valandra, and Van Norman and Senators Bartling and Hanson (Gary)

1 FOR AN ACT ENTITLED, An Act to reauthorize the construction of nursing facilities on  
2 American Indian reservations under certain circumstances.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That section 3 of chapter 180 of the 2003 Session Laws be amended to read as  
5 follows:

6 Section 3. This Act is repealed on June 30, ~~2005~~ 2006.

7 Section 2. That § 34-12-48 be amended to read as follows:

8 34-12-48. Notwithstanding the provisions of §§ 34-12-35.3 and 34-12-39.1, a new nursing  
9 ~~facility~~ facilities as defined in § 34-12-1.1 may be constructed, operated, and maintained ~~in an~~  
10 ~~area if the~~ if each facility is to be located on an American Indian reservation and is required to  
11 serve a local population previously unserved through lack of nursing facilities within a  
12 forty-five-mile radius. No more than one such nursing facility may be located within the same  
13 American Indian reservation, and the number of beds in the nursing facility may not exceed  
14 fifty. The nursing facility shall meet the specifications of chapter 34-12 for a licensed nursing  
15 facility in order to participate in the medicaid program.

